



Honorable Linda B. Riegle
United States Bankruptcy Judge



Entered on Docket
December 08, 2011

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

Chapter 11 11

**Order Setting Status Conference on
Responses of Roy R. and Nancy Ventura to
Omnibus Objection(s) of USACM
Liquidating Trust To Proofs Of Claim**

Hearing Date: November 15, 2011

Hearing Time: 9:30 a.m.

Status Hearing Date: January 19, 2012

Hearing Time: 10:00 a.m.

The Status hearing on the response(s) of Roy R. and Nancy Venturs ("Ventura Response") to the following objections filed by the USACM Liquidating Trust:

- Fifth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in the Lerin Hills Loan [DE 8872] and Ventura response [DE 9221]

- Tenth Omnibus Objection of USACM Trust to Proofs of Claim Based Entirely Upon Investment in the HFAH Clear Lake Loan [DE 8900], Ventura response [DE 9220];
- Third Omnibus Objection of USACM Trust to Proofs of Claim Based Entirely Upon Investment in The Hesperia II Loan [DE 8885], Ventura response [DE 9222]; and
- Eleventh Omnibus Objection of USACM Liquidating Trust Based In Whole or In part Upon Investment in The Eagle Meadows Loan [DE 8570], Ventura response [DE 8930].

The above objections (the “Objections”) re Proofs of Claim No. 10725-00638 and 10725-00639 came before the Court for consideration on November 15, 2011, at 9:30 a.m.; notice of the hearing was provided to Roy R. and Nancy Ventura (“Venturas”); counsel for the Trustee appeared and Katie Bindrup, Counsel for Roy R. and Nancy Ventura appeared; Counsel jointly requested that the status conference be continued; good cause now appearing,

IT IS ORDERED:

1. A status conference is set before this Court regarding the Objections as it relates to Proof of Claim Nos. 10725-00638 and 10725-00639 filed by Roy R. and Nancy Ventura for **January 19, 2012 at 10:00 a.m.** at the U.S. Bankruptcy Court, 300 Las Vegas Boulevard South; Courtroom # 1, Las Vegas, NV 89101.

2. Prior to the January 19, 2012, status conference, the parties shall begin the process set forth in the Alternative Dispute Resolution Agreement filed as Exhibit B to the Direct Lender Supplement To Debtors’ Third Amended Joint Chapter 11 Plan Of Reorganization [DE 1887].

3. Venturas or their counsel may appear telephonically at the status conference on January 19, 2012 by sending a written request to the Honorable Linda B. Riegle, U.S. Bankruptcy Court; 300 Las Vegas Boulevard South; Las Vegas, NV 89101 or by sending a facsimile request to 702-527-7015. The written request must be received by the Court on

1 or before January 10, 2012 or it will be denied without good cause shown for failing to
2 timely request permission to appear telephonically.

3 4. Once the Court grants Venturas permission to appear telephonically,
4 Venturas should contact CourtCall at least 48 hours prior to the hearing by telephone at 1-
5 888-882-6878, or by facsimile at 888-883-2946, to make arrangements for the telephonic
6 appearance. CourtCall will require Venturas to provide the Court location, Judge's name,
7 case name, case number, and date and time of the hearing. CourtCall charges are to be
8 paid by claimant.

9 PREPARED AND RESPECTFULLY SUBMITTED BY:

10 **LEWIS AND ROCA LLP**
11

12 By /s/ John Hinderaker (AZ #018024)

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14 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

_____ No party appeared at the hearing or filed an objection to the motion.

XXX I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: Katie Bindrup

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>August B. Landis, U.S. Trustee</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: <u>Katie Bindrup, Matthew L. Johnson & Associates, P.C.</u>	
<input checked="" type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

s/ **Katie Bindrup**
Matthew L. Johnson & Associates, P.C.

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker (AZ #018024)
Attorneys for USACM Liquidating Trust

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